

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	BERTRAM JOSEPH ELLIOTT and	:	CHAPTER 13
	CHARLOTTE JEAN ELLIOTT	:	
	Debtor(s)	:	
		:	
	CHARLES J. DEHART, III	:	
	STANDING CHAPTER 13 TRUSTEE	:	
	Movant	:	
		:	
	vs.	:	
		:	
	BERTRAM JOSEPH ELLIOTT and	:	
	CHARLOTTE JEAN ELLIOTT	:	
	Respondent(s)	:	CASE NO. 1-19-bk-03514

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 26th day of September, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

a. Plan payment calculation sum of Lines 34, 35, 36 45.

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

a. Earning capacity

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

a. Deny confirmation of debtor(s) plan.

- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 8th day of October, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Thomas Miller, Esquire
249 York Street
Hanover, PA 17331

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee3